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not listed

PATENT
Customer No. 22,852
Attorney Docket No. 07444.0001-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Michael SATOW et al.)
)
Application No.: 09/376,346) Group Art Unit: 3627
)
Filed: August 18, 1999) Examiner: J. Kramer
)
For: A REAL-TIME COMPUTERIZED)
STOCK TRADING SYSTEM)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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JUN 11 2003

OFFICE OF PETITIONS

Sir:

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT

Adjustment date: 08/15/2006 CKHLOK
06/10/2003 SLUANG 00000033 060916 09376346
01 FC:1452 110.00 CR

ABANDONED UNAVOIDABLY
UNDER 37 CFR 1.137(a)

The above-identified application became abandoned for failure to file a timely and proper response to the Office Action mailed on July 12, 2002, which set a 6 month period for Response to a Restriction Requirement. The abandonment date of this application is January 13, 2003 (i.e., the day after the expiration date of the period set for response plus any extensions of time obtained therefore).

Applicants believes that since the Response to the Restriction Requirement was received by the United States Patent and Trademark Office ("USPTO") within the

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06/10/2003 SLUANG1 00000033 060916 09376346

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necessary time period, the Request to Withdraw Erroneous Holding of Abandonment should be sufficient. However, in the event of a denial of the Request to Withdraw Erroneous Holding of Abandonment, Applicants hereby file a Petition to Revive for Unavoidable Delay.

Applicant hereby petitions for revival of this application.

1. Petition fee

- ☐ Small entity - fee \$[Fee] (37 CFR 1.17(m))
☒ Other than small entity - fee \$110.00 (37 CFR 1.17(m))

2. Proposed response and/or fee

- A. The proposed response and/or fee to the above-noted Office action :
B. ☐ has been filed previously on [Date].
☒ is enclosed herewith.
C. The issue fee of \$[Fee]
☐ has been filed previously on [Date].
☐ is enclosed herewith.

3. Verified statement

The delay caused by the abandonment of the application was unavoidable as the term is used in 37 C.F.R. 1.137(a).

On August 12, 2002, Applicants filed a Response to the Restriction Requirement and a Divisional Application all in one packet. An Office Action addressing the claims of

the Divisional was issued on April 28, 2003. However, the Response to the Restriction Requirement, which was also filed on August 12, 2002, has not been acted upon. A Notice of Abandonment for failure to respond to the Restriction Requirement was issued on February 25, 2003.

A Request to Withdraw Erroneous Holding of Abandonment was filed on March 7, 2003. A copy of the Response to the Restriction Requirement and the date-stamped postcard acknowledging receipt of the Response to Restriction Requirement by the USPTO were enclosed with the Request to Withdraw Erroneous Holding of Abandonment. A copy of that request is enclosed herewith.

Applicants have not received a decision concerning the Request to Withdraw Erroneous Holding of Abandonment. Applicants believe that the Response to the Restriction Requirement was timely filed, although it was placed by the USPTO in the Divisional file, instead of the original file. Applicants believe the Request to Withdraw Erroneous Holding of Abandonment should remove the holding of abandonment, however, as an alternative Applicants have filed a Petition for Revival for Patent Abandoned Unavoidably.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section

1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Should the Office deny this Petition under 37 CFR § 1.137(a), Applicants request that this paper be considered as a Petition under 37 CFR § 1.137(b) to revive due to unintentional abandonment and authorize the Commissioner to charge any related fees to our Deposit Account No. 06-0916.

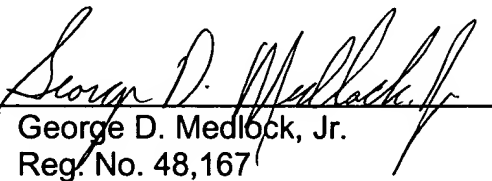
Please charge our deposit account for the Petition Fee of \$110.00.

If there are any other fees due in connection with the filing of this response, including any fees required for an extension of time under 37 CFR § 1.136, such an extension is requested, and the Commissioner is authorized to charge any related fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: May 27, 2003

By: 
George D. Medlock, Jr.
Reg. No. 48,167

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STOCK TRADING SYSTEM)

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Commissioner for Patents
Washington, DC 20231

Sir:

**REQUEST TO WITHDRAW ERRONEOUS
HOLDING OF ABANDONMENT**

Applicants respectfully request withdrawal of the Notice of Abandonment dated February 25, 2003 in light of the following comments:

On August 12, 2002, Applicants filed a Response to the Restriction Requirement in response to the office action dated July 12, 2002. A copy of the Response to the Restriction Requirement and the date-stamped postcard acknowledging receipt of the Response to the Restriction Requirement by the Patent and Trademark Office is herewith enclosed.

Accordingly, the Notice of Abandonment was issued in error. Withdrawal of this holding of abandonment is respectfully requested.

If any fees are deemed necessary for consideration of this Request, please notify the undersigned and charge such fees to our Deposit Account 06-0916.

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Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: March 7, 2003

By: 

George D. Medlock, Jr.
Reg. No. 48,167

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ERY/GDM

PLEASE STAMP TO ACKNOWLEDGE RECEIPT OF THE FOLLOWING:

In Re Application of: Michael SATOW et al.

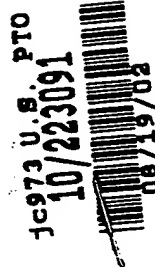
Application No.: Not Assigned

Group Art Unit: Not Assigned

Filed: August 12, 2002

Examiner: Not Assigned

For: A REAL-TIME COMPUTERIZED STOCK TRADING SYSTEM



1. Certificate of Mailing Under 37 C.F.R. § 1.8 – 1 page
2. Response to Restriction Requirement – 1 page
3. Divisional Application – 4 pages
4. Preliminary Amendment – 2 pages
5. Prior Application Serial No. 09/376,346 filed August 18, 1999 – 29 pages
6. Drawings filed August 18, 1999 – 8 sheets (Figs. 1-6)
7. Declaration and Power of Attorney for Patent Application
8. Recordation Cover Sheet – 1 page
9. Assignment – 2 pages



BOX PATENT APPLICATION

Dated August 12, 2002

Docket No.: 07444.0001-02

DET-06-10/15/02 (Due Date)

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